

BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, July 17, 2012
CLOSED SESSION
(All times are approximate and subject to change.)

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

NOTE START TIME: **9:00 a.m.**

DISCUSSION

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

(A board may meet in Closed Session to confer with or receive advice from its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

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Tuesday, July 17, 2012
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NOTE START TIME: **9:30 a.m.**

AGENDA

- I. Call to Order
- II. Roll Call
- III. Approval of Board of Parole Hearings (BPH) Open Meeting Minutes:
 June 19, 2012
- IV. Introductions and Presentations
- V. Report from Executive Officer
- VI. Chief Legal Counsel
 - Lifer Backlog
- VII. Regulatory action: Final approval of amended sections 2606, 2635.1, 2646.1, 2733, 2740, 2743,
 and 2744 of California Code of Regulations, title 15, relating to *Parole Revocation*, following the
 15-day re-notice period
- VIII. *Changes in Status or Removal from Medical Parole*, presented by Tiffany Shultz, Senior
 Staff Counsel
- IX. Advisory Committee Updates
- X. Agenda Items for Future Meetings
- XI. En banc case of Robert Jimenez, E-20358: *Risk Assessment Evaluation*, presented by
 Cliff Kusaj, Chief Psychologist, BPH Forensic Assessment Division
- XII. Comments regarding en banc cases – Members of the audience may speak to the Board for a
 period not to exceed five (5) minutes.
- XIII. *Overview: Changes to Inmate Classification*, presented by Jill Brown, Correctional Administrator,
 and Elizabeth Desilva, Correctional Counselor III
- XIV. Open Comment – Comments are limited to 5 minutes. The Board will not consider comments
 about future parole hearings. Those comments should be sent to the prison where the inmate is
 housed so that they can be considered by the panel assigned to the case.
- XV. Commissioners adjourn for Closed Session

The decisions regarding Joaquin Cruz, D-26061; Thornton Gillis, AD-9072; Robert Jimenez, E-20358; Walter Jones, E-58590; Richard Mackenzie, J-76688; Jessie Palacio, C-79987; and Joshua Swindell, J-82425, will be posted on the door of the 5th Floor Executive Board Meeting Room and also on the BPH internet page at the following address: www.cdcr.ca.gov/BOPH/enbanc.html

(See next page for Closed Session information.)

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BOARD OF PAROLE HEARINGS
Executive Board Meeting
(Immediately following the Open Meeting)
Tuesday, July 17, 2012
CLOSED SESSION

DISCUSSION ITEMS:

- A. **Penal Code section 1170(e):**
 Determination of Eligibility for Recommendation to Sentencing Court
 for Recall of Sentence
 Pursuant to Government Code section 11126(c)
- | | | | |
|----|---|----------------|--|
| 1. | CRUZ, Joaquin
County of commitment:
Los Angeles | D-26061 | |
| 2. | GILLIS, Thornton
County of commitment:
Ventura | AD-9072 | |
| 3. | JONES, Walter
County of commitment:
Los Angeles | E-58590 | |
| 4. | PALACIO, Jessie
County of commitment:
Sacramento | C-79987 | |
- B. **En Banc Review**
 Pursuant to Government Code section 11126(c)(4)
- | | | | |
|----|---|----------------|---|
| 1. | JIMENEZ, Robert
County of commitment:
Contra Costa | E-20358 | Governor-referred |
| 2. | MACKENZIE, Richard
County of commitment:
Los Angeles | J-76688 | Split decision |
| 3. | SWINDELL, Joshua
County of commitment:
Los Angeles | J-82425 | Referred by Decision Review
<i>(Parole plans)</i> |

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